

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COMPOSITIONS FOR RAPID AND NON-IRRITATING TRANSDERMAL DELIVERY OF PHARMACEUTICALLY ACTIVE AGENTS AND METHODS FOR FORMULATING SUCH COMPOSITIONS AND DELIVERY THEREOF

the specification of which (check only one item below):

☐ is attached hereto

☐ was filed as United States application

Serial No. _____

on _____

and was amended

on _____ (if applicable).

☒ was filed as PCT International application

Number PCT/US99/15297

on 07 JULY 1999

and was amended under PCT Article 19

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate of any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIORITY FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 USC 119:

| COUNTRY (if PCT indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, mo., year) | PRIORITY CLAIMED UNDER 35 USC 119 |
|------------------------------------|--------------------|------------------------------------|--|
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

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|--|-------------------------|--|--|--|-----------|
| COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONTINUED) (Include Reference to PCT International Applications) | | | | DOCKET TDT-1 | |
| <p>I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.</p> | | | | | |
| <p>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120:</p> | | | | | |
| U.S. APPLICATIONS | | | STATUS Check One | | |
| 60/091,910 | 07 JULY 1998 | | PATENTED | PENDING | ABANDONED |
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| PCT APPLICATIONS DESIGNATING THE U.S. | | | | | |
| PCT APPLN. NO. | PCT FILING DATE | U.S. SERIAL NOS. ASSIGNED if any | | | |
| PCT/US99/15297 | 07 JULY 1999 | | | | |
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| <p>POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number) Leonard W. Sherman, Reg. No. 19,636; Edwin A. Shalloway, Reg. No. 19,967; Richard A. Steinberg, Reg. No. 26,588; Perry Carvellas Reg. No. 19,637; Alan Holler, Reg. No. 29,266; and Robert L. Haines, Reg. No. 35,533</p> | | | | | |
| <p>Send Correspondence to: SHERMAN & SHALLOWAY 413 N. Washington Street Alexandria, Virginia 22314</p> | | | <p>Direct Telephone Calls to: (Name and telephone number) (703) 549-2282</p> | | |
| 2 | FULL NAME OF INVENTOR | FAMILY NAME KIRBY | FIRST GIVEN NAME Kenneth | SECOND GIVEN NAME B | |
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| 3 | POST OFFICE ADDRESS | POST OFFICE ADDRESS | CITY | STATE, ZIP, COUNTRY | |
| <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p> | | | | | |
| SIGNATURE OF INVENTOR 201 | | SIGNATURE OF INVENTOR 202 | | SIGNATURE OF INVENTOR 203 | |
| DATE 31 August '99 | | DATE 31 August '99 | | DATE | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Kenneth B. Kirby et al
SERIAL NO. : 09/381,095
FILED : 05/11/2000
FOR : COMPOSITIONS FOR RAPID AND NON-IRRITATING
TRANSDERMAL DELIVERY OF PHARMACEUTICALLY
ACTIVE AGENTS AND METHODS FOR FORMULATING
SUCH COMPOSITIONS AND DELIVERY THEREOF

To: Assistant Commissioner for Patents
Washington, DC 20231

SUBSTITUTION OF ATTORNEYS

TransDermal Technologies, Inc., Applicant in the above-identified application, hereby revokes any and all previous Powers of Attorney and appoints Michael A. Slavin, Reg. No, 34,016; C. Fred Rosenbaum, Reg. no. 27,110; Ferris L. Lander, Reg. No. 43,377; Joseph Beckman, Reg. No. 45,529; members of the firm MCHALE & SLAVIN, P.A., 4440 PGA Blvd., Suite 402, Palm Beach Gardens, Florida 33410, as Applicant's attorney with full power of substitution and revocation, to prosecute the application for patent, receive any Letters Patent, and to take any and all other actions with regard to this utility patent application and any patent registration thereof.

Respectfully submitted,

TransDermal Technologies, Inc.

By:

Kenneth B. Kirby
Kenneth B. Kirby
President

Date:

9. Nov. 2001

2001-11-09 11:34 FAX 561 625 6572 MCHALE & SLAVIN PA